

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

TECMA TRANSPORTATION SERVICES, LLC,

Plaintiff,

v.

No. 2:22-cv-456 MV/KRS

200 SOUTH PEMBERTON, LLC,

Defendant.

ORDER DENYING WITHOUT PREJUDICE
MOTION FOR CONTINUANCE

THIS MATTER is before the Court on the parties' Mutual Motion for Continuance, (Doc. 40), filed November 16, 2023. The parties state that "further information continues to become available" and "[b]ased on the information regarding who may have knowledge of interactions between the parties, it is believed that further depositions and discovery must be conducted." (Doc. 40) at 1.

The discovery deadline in this case was August 30, 2023, the deadline for dispositive motions was September 29, 2023, and the parties' pretrial order is due to the Court on November 28, 2023. The Court can modify a scheduling order "for good cause shown." Fed. R. Civ. P. 16(b)(4). The parties here have not explained with any specificity what information has become available, what additional discovery needs to be conducted, or who may still need to be deposed. Moreover, the parties do not state how much longer they will need to conduct this additional discovery or whether they would like to extend any deadlines other than the discovery deadline. The Court finds the parties have not set forth good cause to reopen discovery. The parties may refile their motion in compliance with Rule 16.

IT IS THEREFORE ORDERED that the parties' Mutual Motion for Continuance, (Doc. 40), is DENIED without prejudice.

A handwritten signature in black ink, reading "Kevin Sweazea". The signature is written in a cursive, flowing style. The first name "Kevin" is written with a large, stylized "K" and "v". The last name "Sweazea" is written with a large, stylized "S" and "z".

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE